



# FAIRFAX COUNTY PARK AUTHORITY

---

# M E M O R A N D U M



**TO:** Chairman and Members  
Park Authority Board

**VIA:** Michael A. Kane, Director

**FROM:** Miriam Morrison  
Chief Financial Officer

**DATE:** February 15, 2006

## *Agenda*

**Administration and Management Committee**  
**Wednesday, February 22, 2006 – 5:45 p.m.**  
**Board Room – Herrity Building**  
**Chairman: Edward R. Batten, Sr.**

1. Authorization to Conduct a Public Hearing – Fairfax County Park Authority and Northern Virginia Regional Park Authority Police Regulations – Action\*

\*Enclosures

cc: Timothy K. White  
Leadership Team

Board Agenda Item  
March 8, 2006

**ACTION -**

Authorization to Conduct a Public Hearing on the Proposed Revisions to the Park Authority Regulations Jointly with the Northern Virginia Regional Park Authority (Countywide)

ISSUE:

Authorization to conduct a public hearing on the Proposed Revisions to the Park Authority Regulations jointly with the Northern Virginia Regional Park Authority on Tuesday, April 11, 2006.

RECOMMENDATION:

The Park Authority Director recommends the Park Authority Board authorize a public hearing to be held jointly with the Northern Virginia Regional Park Authority on the proposed revisions to the Park Authority Regulations.

TIMING:

Board action is requested on March 8, 2006 in order to provide the required time for public notice of the hearing.

BACKGROUND:

The Park Authorities Act, Chapter 57 of the Virginia State Code (attachment 1), enables the Fairfax County Park Authority the ability to adopt rules and regulations concerning the use of properties under its control (§15.2-5704.17). In order that public property be protected, safety and enjoyment of all park visitors assured, and consistent policy and enforcement for our shared constituency executed, the Fairfax County Park Authority, along with the Northern Virginia Regional Park Authority, adopted Police Regulations, Rules and Permits on August 25, 1980.

In May 2001, staff established a multi-agency workgroup to revise the original document. The regulations were updated to coincide with Virginia and County Code, and were adopted by the Park Authority Board on October 23, 2002 (attachment 2).

Board Agenda Item  
March 8, 2006

In December, 2005 staff from the County Attorney's Office, Fairfax County Police Department, Northern Virginia Regional Park Authority, and Fairfax County Park Authority convened to review the existing Police Regulations, and to determine what changes were warranted at this time. Of particular importance was the need to ensure the Regulations coincide with current Virginia and County Code.

It is recommended that the following four sections of the Park Authority Regulations be updated at this time:

- §1.04 - Dangerous Devices
- §1.05 - Domestic Animals
- §1.07 - Fishing
- §1.16 - Public Gathering

The proposed revisions to each of the sections of the Park Authority Regulations are included as attachments 3 – 6.

Approval of the proposed Park Authority Regulations must follow the procedures required for the adoption of general County ordinances as set forth in §15.2-1427 (attachment 7). It is therefore recommended that a joint public hearing be held with the Northern Virginia Regional Park Authority on Tuesday, April 11, 2006 at 7:00 p.m. at Oakton High School.

FISCAL IMPACT:  
None.

ENCLOSED DOCUMENTS:

- Attachment 1: Code of Virginia §5.2-5704, Powers of Authority
- Attachment 2: Current Park Authority Regulations, Adopted on October 23, 2002
- Attachment 3: Proposed Revised Park Authority Regulations, §1.04 - Dangerous Devices
- Attachment 4: Proposed Revised Park Authority Regulations, §1.05 - Domestic Animals
- Attachment 5: Proposed Revised Park Authority Regulations, §1.07 – Fishing
- Attachment 6: Proposed Revised Park Authority Regulations, §1.16 - Public Gathering
- Attachment 7: Code of Virginia §15.2-1427, Adoption of Ordinances

Board Agenda Item  
March 8, 2006

STAFF:

Michael A. Kane, Director

Timothy K. White, Chief Operating Officer

Elisa Lueck, Manager, Strategic Initiatives and Policy Development

**Attachment 1**[previous](#) | [next](#)**§ 15.2-5704. Powers of authority.**

Each authority shall be deemed to be performing essential governmental functions providing for the public health and welfare, and is authorized and empowered:

1. To have existence for such term of years as specified by the participating localities;
2. To adopt bylaws for the regulation of its affairs and the conduct of its business;
3. To adopt an official seal and alter the same at pleasure;
4. To maintain an office at such place or places as it may designate;
5. To sue and be sued;
6. To acquire, purchase, lease as lessee, construct, reconstruct, improve, extend, operate and maintain parks within, or partly within and partly outside, one or more of the participating localities; to acquire by gift, purchase or the exercise of the right of eminent domain lands or rights in land or water rights in connection therewith; and to sell, lease as lessor, transfer or dispose of any property or interest therein acquired by it; however, the power of eminent domain shall not extend beyond the geographical limits of the localities composing the authority;
7. To regulate the uses of all lands and facilities under control of the authority;
8. To issue revenue bonds and revenue refunding bonds of the authority, such bonds to be payable solely from revenues derived from the use of the facilities or the furnishing of park services;
9. To accept grants and gifts from the localities forming or thereafter joining the authority, the Commonwealth, the federal government or any other governmental bodies or political subdivisions, and from any other person;
10. To enter into contracts with the federal government, the Commonwealth, any political subdivision, or any agency or instrumentality thereof, or with any other person providing for or relating to the furnishing of park services or facilities;
11. To contract with any municipality, county, person or any public authority or political subdivision of this or any adjoining state, on such terms as the authority shall deem proper, for the construction, operation and maintenance of any park which is partly in this Commonwealth and partly in such adjoining state;
12. To exercise the same rights for acquiring property for the construction or improvement, maintenance or operation of a park as the locality or localities by which such authority is created may exercise. The governing body of any participating locality, notwithstanding any contrary provision of law, general or special, is authorized and empowered to transfer jurisdiction over, to lease, lend, grant or convey to the authority, upon the request of the authority, upon such terms and conditions as the governing body of such locality may agree with the authority as reasonable and fair, real or personal property as may be necessary or desirable in connection with the acquisition, construction, improvement, operation or maintenance of a park, including public roads and other property already devoted to public use.

Agreements may be entered into by the authority with the Commonwealth, or any agency acting on behalf of the Commonwealth, for the acquisition of any lands or property, owned or controlled by the Commonwealth, for the purposes of construction or improvement, maintenance or operation of a park;

13. In the event of annexation by a municipality not a member of the authority of lands, areas, or territory served by the authority, then such authority may continue to do business, exercise its jurisdiction over properties and facilities in and upon or over such lands, areas or territory as long as any bonds or indebtedness remain outstanding or unpaid, or any contracts or other obligations remain in force;

14. To make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this chapter, including a trust agreement or trust agreements securing any revenue bonds or revenue refunding bonds issued hereunder;

15. To do all acts and things necessary or convenient to carry out the powers granted by this chapter;

16. To borrow, at such rates of interest as the law authorizes, from the federal government or any agency thereof, individuals, partnerships, or private or municipal corporations, for the purpose of acquiring parklands and improvements thereon; to issue its notes, bonds or other obligations; to secure such obligations by mortgage or pledge of the property and improvements being acquired and the income derived therefrom; and to use any revenues and other income of the authority for payment of interest and retirement of principal of such obligations provided that prior approval of the governing body of the locality shall be obtained by an authority that was created by a single locality. Any locality which has formed or joined an authority may lend money to the authority. The power to borrow set forth in this subdivision shall be in addition to the power to issue revenue bonds and revenue refunding bonds set forth in subdivision 8 of this section and § 15.2-5712. Notes, bonds or other obligations issued under this subdivision shall not be deemed to constitute a debt of the Commonwealth or of any political subdivision of the Commonwealth or a pledge of the faith and credit of the Commonwealth or of any political subdivision of the Commonwealth; and

\* 17. To adopt such rules and regulations from time to time, not in conflict with the laws of this Commonwealth, concerning the use of properties under its control as will tend to the protection of such property and the public thereon. No such rule or regulation shall be adopted until after descriptive notice of an intention to propose such rule or regulation for passage has been published in accordance with the procedures required for the adoption of general county ordinances and emergency county ordinances as set forth in § 15.2-1427, mutatis mutandis. The full text of any proposed rule or regulation shall be available for public inspection and copying during regular office hours of the authority at a place designated in the published notice.

(Code 1950, § 15-714.5; 1950, p. 1246; 1952, c. 401; 1956, c. 472; 1962, c. 623, § 15.1-1232; 1968, c. 613; 1976, c. 483; 1977, c. 381; 1981, c. 182; 1996, c. 279; 1997, c. 587.)

---

[previous](#) | [next](#) | [new search](#) | [table of contents](#) | [home](#)

## Appendix 7 Park Authority Regulations

### Index

These regulations were adopted on October 23, 2002 by the Fairfax County Park Authority Board and are authorized by §15.2-5704(17) of the Code of Virginia. Violations of any of these regulations are punishable as a class four misdemeanor pursuant to the Code of Virginia §15.2-5705. Upon conviction, the penalty is a fine of up to \$250 (§18.2-11). Failure to abide by these regulations may also result in violators being prohibited from future use of park property, facilities or services.

### Regulations

#### §1.01 Amplified Sound

#### §1.02 Business Activities, Soliciting and Advertising

- A. Business Activities
- B. Solicitation
- C. Advertisements

#### §1.03 Camping

- A. Areas and Fees
- B. Sewage

#### §1.04 Dangerous Devices

- A. Guns, Bows and Arrows, etc.

[Reserved.]

- B. Knives
- C. Fireworks
- D. Limitation on Prohibition Against Possession of Concealed Handguns

#### §1.05 Domestic Animals

- A. Cages and Leashes
- B. Horses
- C. Feeding Domestic Animals

#### §1.06 Fires

- A. Location
- B. Control and Extinguishment
- C. Violation of Fire Bans

#### §1.07 Fishing

#### §1.08 Historic Artifacts, Features and Man-Made Objects

#### §1.13 Metal Detectors

#### §1.14 Motor Vehicles and Traffic

- A. Speed Limit Where None is Posted
- B. Prohibited Vehicles
- C. Motorized Wheelchairs and Assistive Devices
- D. Off-road Vehicle Operation
- E. Parking and Overnight Parking

#### §1.15 Protection of Park Property

- A. Construction
- B. Encroachments
- C. Excavation
- D. Off-Trail Use
- E. Unauthorized Trails

#### §1.16 Public Gathering

#### §1.17 Remote-Control Devices and Powered Models or Toys

#### §1.18 Restricted Areas

#### §1.19 Rest Rooms and Bath Houses

- A. Harassment and Intimidation
- B. Inappropriate Behavior

#### §1.20 Signs

#### §1.21 Swimming, Bathing and Wading

#### §1.22 Wildlife and Habitat Protection

- A. Animals
- B. Feeding of Wild Animals
- C. Removal of Plants and Fungi
- D. Abandonment or Release of Animals
- E. Planting or Release of Seeds or Spores

**§1.09 Hours of Operation**

- A. Opening and Closing
- B. Visiting with Campers
- C. Lighted Facilities

- F. Habitat Preservation
- G. Removal of Natural Materials

**§1.10 Hunting and Trapping****§1.11 Ice Skating****§1.12 Maintenance of Motor Vehicles****Park Authority Regulations**

Adopted October 23, 2002

**Definitions**

For the purpose of administering, enforcing or interpreting these regulations the following definitions shall apply:

**Park Authority** shall refer to either the Fairfax County Park Authority or the Northern Virginia Regional Park Authority.

**Park** shall refer to any property or facilities owned, leased or maintained by either the Fairfax County Park Authority or the Northern Virginia Regional Park Authority.

**Express Permission** shall refer to a special allowance granted by the Park Authority or its director on a case-by-case basis to conduct a specific behavior or activity in exception to these regulations.

**Law Enforcement/Police Officer** has the same meaning as in the Code of Virginia §9.1-101 and also includes the Sheriff of the respective jurisdictions and his or her deputies.

**General Provisions**

Parks belong to the people and were created to provide for recreational facilities, the enjoyment and leisure pursuits of the citizenry and for the preservation and interpretation of open space resources.

The Fairfax County Park Authority and the Northern Virginia Regional Park Authority have been charged with the operation and maintenance of parks under the Park Authorities Act of the Commonwealth of Virginia (Chapter 57, Title 15.2 of the Virginia Code, 1950, as amended).

The Park Authority is proud to be a host for public activities, but reserves the right to regulate these activities in the best interest of the park, its users, neighbors and the general public.

In order to protect public parks, assure the safety of park users and maximize the public's enjoyment of these parks, it is necessary that Park Authority Regulations be established and adhered to by all park patrons. These regulations shall also apply to all paid and volunteer park staff except in those instances where an exception to these regulations is required for staff to complete tasks as part of their assigned duties. This document seeks to define those activities that are prohibited and/or regulated by law in Park Authority parks. In addition to these regulations, all State and/or local codes, to include but not limited to, Fire Prevention Codes, traffic and game laws, and zoning ordinances are enforceable on park property. These regulations are authorized by §15.2-5704 (17) of the Code of Virginia.



The following regulations shall apply to all property and facilities owned, leased or maintained by the Park Authority.

A VIOLATION OF ANY OF THESE REGULATIONS IS PUNISHABLE AS A CLASS FOUR MISDEMEANOR PURSUANT TO THE CODE OF VIRGINIA §15.2-5705. UPON CONVICTION, THE PENALTY IS A FINE OF UP TO \$250 (§18.2-11). FAILURE TO ABIDE BY THESE REGULATIONS MAY ALSO RESULT IN VIOLATORS BEING EJECTED FROM THE PARK IMMEDIATELY AND PROHIBITED FROM FUTURE USE OF PARK PROPERTY, FACILITIES OR SERVICES.

Park patrons shall follow the lawful orders of Park employees given to enforce or uphold these regulations. Park employees include both paid and authorized volunteer staff. For the purposes of these regulations, a lawful order is any direction by a law enforcement officer or Park employee for a person or persons to comply with park regulations, rules or policies, state laws or local ordinances or to provide for public safety.

If any of these regulations, or the application thereof to any person or circumstances, is held invalid, the remainder of the regulations and the application of such provision to other persons or circumstances shall remain in full force and effect.

In addition to these regulations, park patrons shall follow rules and policies established by the Park Authority governing the use of parks and park facilities.

## **Regulations**

### **§1.01 Amplified Sound**

No person shall operate in a park, in a manner audible to others, any device designed to produce, reproduce or amplify sound without the express written permission of the Park Authority.

### **§1.02 Business Activities, Soliciting and Advertising**

- A. Business Activities. No person shall sell or make an offer to sell goods or services or conduct business activities within a park without the express written permission of the Park Authority.
- B. Solicitation. No person shall solicit monetary or other valuable contributions from others in a park without the express written permission of the Park Authority.
- C. Advertisements. No person shall advertise goods, services or events within a park without the express written permission of the Park Authority. For the purposes of this regulation, advertisements include, but are not limited to, the distribution or posting of handbills, flyers, coupons or public announcements or signs mounted on vehicles (see also §1.20 Signs below).

### **§1.03 Camping**

- A. Areas and Fees. No person shall set up an overnight camping or lodging site in a park except in areas designated and posted as camping areas. Campers shall register and pay appropriate fees.
- B. Sewage. No person shall dispose of sewage or gray water within a park except by transferring it to a dumping station provided by the Park Authority for this purpose or by storing it in a completely closed container and removing it from the park.

### **§1.04 Dangerous Devices**

- A. Guns, Bows and Arrows, etc. [Reserved.]\*

~~\*[Firearms, other guns, bows and arrows and other projectile devices, continue to be regulated by subsection A of Section 6 of the Park Authority's Police Regulations, Rules and Permits that were adopted on August 25, 1980. For the public's convenience, Subsection A of Section 6 of these regulations reads as follows:~~

~~"No person, other than a police officer, shall possess in the park a firearm or other gun,~~

~~unless it is dismantled or contained within a closed case, or a slingshot, bow and arrow, dart device, or other device designed for high speed missile projection, except in areas specially designated and posted by the Park Authority as areas in which one or more of these devices are permitted for recreational purposes."~~

- B. Knives. No person shall possess a knife with a blade more than four (4) inches in length within a park except for the purpose of food preparation.
- C. Fireworks. No person shall possess or discharge fireworks in a park without the express written permission of the Park Authority.
- D. ~~Limitation on Prohibition Against Possession of Concealed Handguns. Nothing in these regulations or in any regulations previously adopted by the Park Authority and still in effect shall prohibit the possession in a park of a concealed handgun by active and retired police officers and law enforcement officers, and other persons, who are permitted to carry a concealed handgun in the Commonwealth without a concealed handgun permit as provided in Code of Virginia §18.2-308(B) and (C).~~

Note: 1.04 A and 1.04 D are no longer enforceable in the Commonwealth of Virginia. Formal repeals of these regulations can occur following the required public hearing process.

### §1.05 Domestic Animals

- A. Cages and Leashes. No person shall have in his or her custody within a park any animal, other than a horse, that is not either caged, or on a leash and under the person's control; except that a dog may be under the direct supervision of its owner or their agent without a cage or a leash in an area designated as an off-leash dog exercise area. (See §1.05 (B) Horses below for horses.)
- B. Horses. No person shall ride or lead a horse other than in an area designated by the Park Authority for horseback riding.
- C. Feeding Domestic Animals. No person shall feed any domestic animal other than his or her personal pet within a park unless such feeding is expressly authorized by the Park Authority by a posted sign or in writing.

### §1.06 Fires

- A. Location. No person shall start or use a fire within a park except in facilities provided or approved by the Park Authority for this purpose.
- B. Control and Extinguishment. Fires shall be attended at all times and fully extinguished before the site is left unattended.
- C. Violation of Fire Bans. No person shall violate any provision of fire bans that the Park Authority may institute from time to time in order to protect the park resources or public safety.

### §1.07 Fishing

Fishing is allowed in a park in accordance with Virginia State game laws unless otherwise posted.

### §1.08 Historic Artifacts, Features and Man-Made Objects

No person shall damage, disturb or remove any historic artifacts, historic features or other man-made objects from a park without the express written permission of the Park Authority. For the purposes of these regulations, "historic artifacts" are any material remains that give physical evidence of human occupation, habitation, use or activity; and "historic features" include, but are not limited to, walls, fence lines, cellars, fire pits, mill races, trenches, tent platforms, quarries or any other man-made arrangement of materials or the trace thereof.

### §1.09 Hours of Operation

- A. Opening and Closing. No person shall enter a park more than one half hour before sunrise or remain in a park more than one half hour after sunset unless the person is (i) using a lighted facility (as provided for in

§1.09(C) below) or specially posted park, (ii) attending a special event permitted by the Park Authority, (iii) is a bonafide renter or camper or (iv) has the express written permission of the Park Authority to be in a park before opening or after closing. If a patron is in a park outside of operating hours in accordance with exceptions (i – iv) above, the patron must leave the park by the closing time posted for the facility, park or event or specified in the permit.

- B. Visiting with Campers. Persons visiting with campers and renters are NOT exempt from a park's hours of operation as set forth in §1.09(A) above.
- C. Lighted Facilities. Hours of operation for facilities for which the Park Authority furnishes artificial lighting shall be posted at the facility or stipulated in a use permit.

### **§1.10 Hunting and Trapping**

Hunting and trapping of wildlife are prohibited in a park except when expressly permitted in writing as part of a Park Authority controlled activity.

### **§1.11 Ice Skating**

No person shall go upon the ice of any body of water in a park except at such places and at such times as may be designated by the Park Authority. Indoor ice skating is permitted at rinks maintained by the Park Authority for such use, at such times and subject to the rules prescribed and posted at the facility.

### **§1.12 Maintenance of Motor Vehicles**

No person shall repair, clean, wax or otherwise maintain a motor vehicle in a park. In no case shall anyone discharge or cause to be discharged hazardous substances, including but not limited to, gasoline, antifreeze or motor oil, in a park.

### **§1.13 Metal Detectors**

No person shall use a metal detector or similar device within a park without the express written permission of the Park Authority.

### **§1.14 Motor Vehicles and Traffic**

- A. Speed Limit Where None Is Posted. Where no speed limit is posted, no person shall operate a motor vehicle within a park at a speed greater than 20 miles per hour.
- B. Prohibited Vehicles.
  1. No person shall operate within a park a motorized vehicle not licensed for regular use upon public highways, except that motorized carts furnished or approved by the Park Authority may be operated within designated areas and motorized wheelchairs may be operated in areas as provided for in §1.14(C) below.
  2. No person shall operate within a park a farm tractor or other farm machinery or a type of vehicle used primarily for earth-moving operations, whether or not licensed for regular use upon public highways, without the express written permission of the Park Authority.
  3. Motor-assisted bicycles (commonly referred to as "mopeds") are permitted only in areas where motor vehicles are permitted.
- C. Motorized Wheelchairs and Assistive Devices. Motorized wheelchairs and other motorized assistive devices for mobility impaired persons are permitted in all areas where pedestrian access is permitted, unless otherwise posted by the Park Authority.
- D. Off-Road Vehicle Operation. No person shall operate any type of motorized vehicle in areas of a park other than established roadways without the express written permission of the Park Authority except as noted in §1.14 (C) above.
- E. Parking and Overnight Parking. No person shall park a motor vehicle in areas of a park other than those designated by the Park Authority as parking areas. Motor vehicles may not be parked overnight in a park without the express written permission of the Park Authority. Motor vehicles left over night in violation of this regulation may be ticketed and/or towed.

### **§1.15 Protection of Park Property**

- A. Construction. No person shall erect or construct any structure of any kind, install or perform any maintenance on any utility, equipment or other device on, below, over or across a park without the express written permission of the Park Authority or in accordance with the terms of an existing easement duly recorded in the appropriate jurisdiction's land records.
- B. Encroachments. No person shall in any way alter, damage, remove or deface any facilities, features, vegetation, man-made objects or equipment in a park or place; nor erect or store personal property, plant vegetation or deposit debris or refuse in a park as an extension of a use on adjacent property without the express written permission of the Park Authority.
- C. Excavation. No person shall make any excavation by tool, equipment, blasting or other means in a park without the express written permission of the Park Authority or in accordance with the terms of an existing easement duly recorded in the appropriate jurisdiction's land records.
- D. Off-Trail Use. No person shall bicycle, skate, ski or ride horses off of established trails, walkways or roadways without the express written permission of the Park Authority.
- E. Unauthorized Trails. No person shall create any new trails without the express written permission of the Park Authority.

### **§1.16 Public Gathering**

No person shall organize or engage in a public gathering of more than 75 persons without the express written permission of the Park Authority. For the purposes of these regulations, "public gathering" shall be defined as demonstrations, picketing, speeches, vigils, parades, ceremonies, meetings, rallies, entertainment, games, shows, concerts, picnics, weddings and all other forms of public assembly.

### **§1.17 Remote-Control Devices and Powered Models or Toys**

No person shall operate hobby rockets, remote-control gliders or powered remote-control or tethered planes, boats, cars or other like devices in a park except in areas designated by and with the express written permission of the Park Authority.

### **§1.18 Restricted Areas**

No person shall enter any area in a park designated and posted as restricted without the express written permission of the Park Authority.

### **§1.19 Rest Rooms and Bath Houses**

- A. Harassment and Intimidation. No person shall remain in the vicinity of a washroom, rest room, dressing room, or bathhouse in a park with the intent to harass, intimidate or solicit users of such facility.
- B. Inappropriate Behavior. No person shall engage in inappropriate behavior in rest rooms, wash rooms or bath houses. For the purposes of these regulations, inappropriate behavior includes, but is not limited to, sexual activity, use of controlled substances, sleeping, loitering, washing clothes, bathing in fountains or washbasins - or any activities prohibited by law.

### **§1.20 Signs**

No person shall post signs in a park except at locations designated by and with the express written permission of the Park Authority.

### **§1.21 Swimming, Bathing and Wading**

Swimming, bathing and wading are prohibited in bodies of water, to include, but not limited to, streams, rivers, ponds or lakes, within or adjacent to a park without the express written permission of the Park Authority. Swimming, bathing and wading in a park are permitted only in water facilities established by the Park Authority for such purposes and only during posted hours of operation.

### **§1.22 Wildlife and Habitat Protection**

- A. Animals. No person or his or her pet shall harass, capture, remove, injure or kill any animal or its young or eggs found in a park, or disturb the nest, den, burrow, lodge, roost, dam or other structure of any animal found in a park, or attempt to do so, unless the person possesses a federal or Virginia state permit and has the express written permission of the Park Authority.
- B. Feeding of Wild Animals. No person shall feed any wild animal within a park unless such feeding is expressly authorized by the Park Authority by a posted sign or in writing.
- C. Removal of Plants and Fungi. No person shall remove from a park any plant or fungus (e.g., mushrooms) or parts thereof including, but not limited to, cuttings, flowers, seeds, berries, nuts or foliage, without the express written permission of the Park Authority.
- D. Abandonment or Release of Animals. No person shall abandon, release or cause to be released into a park any animal or other organism without the express written permission of the Park Authority.
- E. Planting or Release of Seeds or Spores. No person shall plant any plant or release or cause to be released into a park any plant or fungus seeds or spores without the express written permission of the Park Authority.
- F. Habitat Preservation. No person shall disturb or modify woodlands, streams, stream banks, meadows, ponds, lakes or other natural areas within a park without the express written permission of the Park Authority.
- G. Removal of Natural Materials. No person shall remove or use any wood, wood chips, sod, earth, humus, rocks, minerals, fossils, sand, water or any other natural material from a park without the express written permission of the Park Authority.

## §1.04 Dangerous Devices

### A. ~~Guns, Bows and Arrows, etc. [Reserved.]~~\*

~~\*[Firearms, other guns, bows and arrows and other projectile devices, continue to be regulated by subsection A of Section 6 of the Park Authority's Police Regulations, Rules and Permits that were adopted on August 25, 1980. For the public's convenience, Subsection A of Section 6 of those regulations reads as follows:~~

~~"No person, other than a police officer, shall possess in the park a firearm or other gun, unless it is dismantled or contained within a closed case, or a slingshot, bow and arrow, dart device, or other device designed for high-speed missile projection, except in areas specially designated and posted by the Park Authority as areas in which one or more of these devices are permitted for recreational purposes."~~

Projectiles. No person shall operate in a park any device or undertake any activity which will cause a projectile to be loosed or propelled which could injure a person or animal or damage property unless the person is operating the device or engaging in the activity in accordance with established park practices as part of a Park Authority managed or permitted activity. Activities and devices restricted under this provision include, but are not limited to, the hitting of golf balls, and the operation of a bow and arrow, crossbow, taser, spear, slingshot, dart device, or other device designed for high-speed missile projection.

B. Knives. No person shall possess a knife with a blade more than four (4) inches in length within a park except for the purpose of food preparation.

C. Fireworks. No person shall possess or discharge fireworks in a park without the express written permission of the Park Authority.

~~D. — Limitation on Prohibition Against Possession of Concealed Handguns. Nothing in these regulations or in any regulations previously adopted by the Park Authority and still in effect shall prohibit the possession in a park of a concealed handgun by active and retired police officers and law enforcement officers, and other persons, who are permitted to carry a concealed handgun in the Commonwealth without a concealed handgun permit as provided in Code of Virginia §18.2-308(B) and (C).~~

~~Note: 1.04 A and 1.04 D are no longer enforceable in the Commonwealth of Virginia. Formal repeals of these regulations can occur following the required public hearing process.~~

### **§1.05 Domestic Animals**

- A. Cages and Leashes. No person shall have in his or her custody within a park any animal, other than a horse, that is not either caged, or on a leash and under the person's control; except that a dog may be under the direct supervision of its owner or their agent without a cage or a leash in an area designated as an off-leash dog exercise area. (See §1.05 (B) Horses below for horses.)
- B. Horses. No person shall ride or lead a horse other than in an area designated by the Park Authority for horseback riding.
- C. Feeding Domestic Animals. No person shall feed any domestic animal other than an animal under his or her own care ~~personal pet~~ within a park unless such feeding is expressly authorized by the Park Authority by a posted sign or in writing.

### **§1.07 Fishing**

Fishing is allowed in a park ~~in accordance with Virginia State game laws~~ unless otherwise posted. Persons fishing in a park shall comply with Virginia State game laws and all special conditions established by the Park Authority.



### **§1.16 Public Gathering**

No person shall organize or engage in a public gathering of more than 75 persons in a park without the express written permission of the Park Authority. For the purposes of these regulations, "public gathering" shall be defined as demonstrations, picketing, speeches, vigils, parades, ceremonies, meetings, rallies, entertainment, games, shows, concerts, picnics, weddings and all other forms of public assembly.

### **§1.16 – 1 Athletic Field Use**

Use of an athletic field that results in a gathering of 40 or more participants, including spectators, shall require the express written permission of the Park Authority.

**Attachment 7**[previous](#) | [next](#)

§ 15.2-1427. Adoption of ordinances and resolutions generally; amending or repealing ordinances.

A. Unless otherwise specifically provided for by the Constitution or by other general or special law, an ordinance may be adopted by majority vote of those present and voting at any lawful meeting.

B. On final vote on any ordinance or resolution, the name of each member of the governing body voting and how he voted shall be recorded; however, votes on all ordinances and resolutions adopted prior to February 27, 1998, in which an unanimous vote of the governing body was recorded, shall be deemed to have been validly recorded. The governing body may adopt an ordinance or resolution by a recorded voice vote unless otherwise provided by law, or any member calls for a roll call vote. An ordinance shall become effective upon adoption or upon a date fixed by the governing body.

C. All ordinances or resolutions heretofore adopted by a governing body shall be deemed to have been validly adopted, unless some provision of the Constitution of Virginia or the Constitution of the United States has been violated in such adoption.

D. An ordinance may be amended or repealed in the same manner, or by the same procedure, in which, or by which, ordinances are adopted.

E. An amendment or repeal of an ordinance shall be in the form of an ordinance which shall become effective upon adoption or upon a date fixed by the governing body, but, if no effective date is specified, then such ordinance shall become effective upon adoption.

F. In counties, except as otherwise authorized by law, no ordinance shall be passed until after descriptive notice of an intention to propose the ordinance for passage has been published once a week for two successive weeks prior to its passage in a newspaper having a general circulation in the county. The second publication shall not be sooner than one calendar week after the first publication. The publication shall include a statement either that the publication contains the full text of the ordinance or that a copy of the full text of the ordinance is on file in the clerk's office of the circuit court of the county or in the office of the county administrator; or in the case of any county organized under the form of government set out in Chapter 5, 7 or 8 of this title, a statement that a copy of the full text of the ordinance is on file in the office of the clerk of the county board. Even if the publication contains the full text of the ordinance, a complete copy shall be available for public inspection in the offices named herein.

In counties, emergency ordinances may be adopted without prior notice; however, no such ordinance shall be enforced for more than sixty days unless readopted in conformity with the provisions of this Code.

G. In towns, no tax shall be imposed except by a two-thirds vote of the council members.

(Code 1950, §§ 15-8, 15-10; 1950, p. 113; 1954, c. 529; 1956, cc. 218, 664; 1956, Ex. Sess., c. 40; 1958, cc. 190, 279; 1960, c. 606; 1962, c. 623, § 15.1-504; 1966, cc. 405, 612; 1968, c. 625; 1970, c. 581; 1972, cc. 41, 837; 1973, c. 380; 1978, c. 235; 1983, c. 11; 1997, c. 587; 1998, c. 823; 2000, c. 895.)

---

[previous](#) | [next](#) | [new search](#) | [table of contents](#) | [home](#)